

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

FILED
SCRANTON

DEC 11 2023

PER DJ
DEPUTY CLERK

GEORGE LOPEZ, et al.,

Plaintiffs,

v.

JOHN WETZEL, et al.,

Defendants

:
:
: Honorable Christopher C. Conner
: Honorable MH Karoline Mehalchick
: (Magistrate Judge Carlson)
:
:

: Civil No. 3:21-cv-1819
:
:

**Plaintiff Consiladated Motion To Compel Discovery/Psychiatric And Medical Records
And Response To This Court Memorandum Order**

TO: THE HONORABLE JUDGES OF SAID COURT

AND NOW COMES, Plaintiff Darien Houser, Pro se consolidated motion to compel discovery, psychiatric records, and response to this court memorandum orders and represents:

Discovery

Due to this case surrounds severe emotional and psychological injuries die to prolonged solitary confinement, Plaintiff request that this court compel Defendants to provide Psychiatric and mediad records, including records that reflect medications that were issued to Plaintiff during the time period of **March of 2004 to Date**. "If defendants refuse to provide said discovery, Plaintiff prays that this court consider appointment of counsel."

Plaintiff Houser's Response to Memorandum Orders

Plaintiff, informs this court that many documents that are being sent to him from the court and defendants do not indicate document number, and filed dates. Also Documents that are being sent to St. Petersburg Florida, are being unreasonably delayed, giving the responding Plaintiff, very little, to hardly no time to timely respond. Plaintiff request that the court order defendants to


send mail by way of legal mail so it can be documented through the legal mail system. The Defendants filed a motion to the court to compel Plaintiff to submit to a second deposition, (doc.133) according to defendants. Yes, Plaintiff does not object to the defendants as to the August 17, 2023 deposition, nor Plaintiff's attorney Elizabeth McHugh request to be present during the deposing due to Criminal matters (PCRA and Mental Health) issues which is a part of Plaintiff's appeal. "What defendants did not mention to the Court is the fact that Defendants Counsel agreed to a continuance in which defendant's counsel was to contact Ms. Elizabeth McHugh and set another date for the deposition. Defendants counsel never contact Plaintiff's Criminal attorney Ms. McHugh, by letter or phone, but instead filed a motion to compel to make this court believe that Plaintiff is just being argumentive and or attempting to delay the process."

Although Plaintiff believes that he has a right to have counsel present, he will be present to submit to the defendants scheduled deposition. *Plaintiff also request that the defendants provide a copy of the deposition to review and sign to make sure that the contents of the deposition are true and correct, and also provide a postage paid envelope to return the deposition to defendants counsel. Plaintiff also note*, that since the Defendants and the Court agree that Plaintiff waives claims of privilege with respect to relevant mental health issues. There should be no problem with the defendants providing the aforementioned discovery documentation. PLAINTIFF ALSO NOTE, AS TO THIS COURT RECENT MEMORANDUM (doc.160) for Plaintiff to show cause on or before **December 18, 2023**, Why Plaintiff's claims should not be severed into separate and distinct complaints, ("Please see Plaintiff most recent **EMERGENCY NOTICE TO THE COURT**"). *****If the Court or Defendants require the Plaintiff to provide or respond to anything, Please inform him in writting by way of the legal mail process.

I, Darien Houser, declare that the contents of this document are true and correct

to the best of my remembrance and belief pursuant to 28 U.S.C. § 1746 and 18 Pa. § 4904 under the laws of penalty of perjury.

Respectfully and Sincerely Submitted,



Darien Houser #GL-7509

SCI-PHOENIX

1200 Mokychic Drive

Collegeville, Pa. 19426

Date: December 6, 2023

cc:



Name: Darien Houser

Number: GL-7509

Box 244

Collegeville, PA 19426-0244

PA DEPARTMENT OF
CORRECTIONS

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